

**MILITARY COMMISSARIES:** Commissaries on military bases are recruited by the state or local agencies as the need arises. The following memorandum of understanding is executed to ensure all parties comply with special arrangements between the USDA and the Department of Defense.

MEMORANDUM OF UNDERSTANDING  
between the  
KANSAS DEPARTMENT OF HEALTH AND ENVIRONMENT  
WIC Program  
and the  
DEPARTMENT OF DEFENSE

\_\_\_\_\_COMMISSARY

The purpose of this Memorandum of Understanding is to outline the basic responsibilities of the Kansas WIC State Agency or their designees (local agencies) and military commissaries that have been authorized to be WIC food vendors.

1. In order to be an authorized WIC food vendor, the commissary shall fulfill state criteria for authorization and shall sign this agreement along with the Kansas WIC Vendor Participation Contract.
2. The state agency agrees that commissaries shall be reimbursed for the provision of authorized supplemental foods to clients, based on the standard commissary price system of procurement costs plus a percentage surcharge. The state agency further agrees that commissaries are only obligated to serve active or retired military personnel and their dependents.
3. The state agency shall provide the commissary a list of approved WIC supplemental foods. The state agency may not direct the commissary to carry a specific brand of merchandise, if that product does not fall within the items authorized for sale in commissaries or if the commissary carries an equivalent product from the current Kansas WIC approved food list.
4. The commissary shall comply with applicable Federal regulations and state agency guidelines for WIC food vendors, such as: provision of supplemental foods to clients, completion and submission of food instruments, acceptance of WIC vendor training within funding/personnel constraints, and other state agency guidelines agreed to by the appropriate commissary headquarters except those excluded in item (5) below.
5. In view of Federal immunity from state claims or review, the state agency may not conduct on-site monitoring reviews of commissaries (except upon invitation by the constituted military authority) or require claims to be paid. However, a state agency may review redeemed food instruments prior to payment. If the food instruments are found to contain errors or omissions, payment may be denied unless or until further justification or correction is provided by the submitting commissary. If the state agency identifies a possible problem, it shall write the commanding officer of the installation requesting payment, investigation, or other appropriate action. The commanding officer of the installation or his designee shall take necessary action and promptly reply to the state agency, including repayment if appropriate.

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g. Braille, large print, audiotape, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800)877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html), and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866)632-9992. Submit your completed form or letter to USDA by: Mail: U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington D.C. 20250-9410; or by fax: (202)690-7442; Email: [program.intake@usda.gov](mailto:program.intake@usda.gov). This institution is an equal opportunity provider.

This MOU may be amended at any time upon the mutual consent of the parties signing this agreement.

The undersigned represents that they have the authority to enter into agreement for and on behalf of the commissary identified on page one.

Please type or print information below.

\_\_\_\_\_  
Commissary Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
City County State Zip

X \_\_\_\_\_  
Authorized Signature

X \_\_\_\_\_  
Type or print name and title signed above Date

FOR OFFICE USE ONLY

DATE OF APPROVAL: \_\_\_\_\_

BY: \_\_\_\_\_  
Kansas Department of Health & Environment

Kansas Department of Health and Environment  
Nutrition & WIC Services  
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(785) 296-1320 (voice)  
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